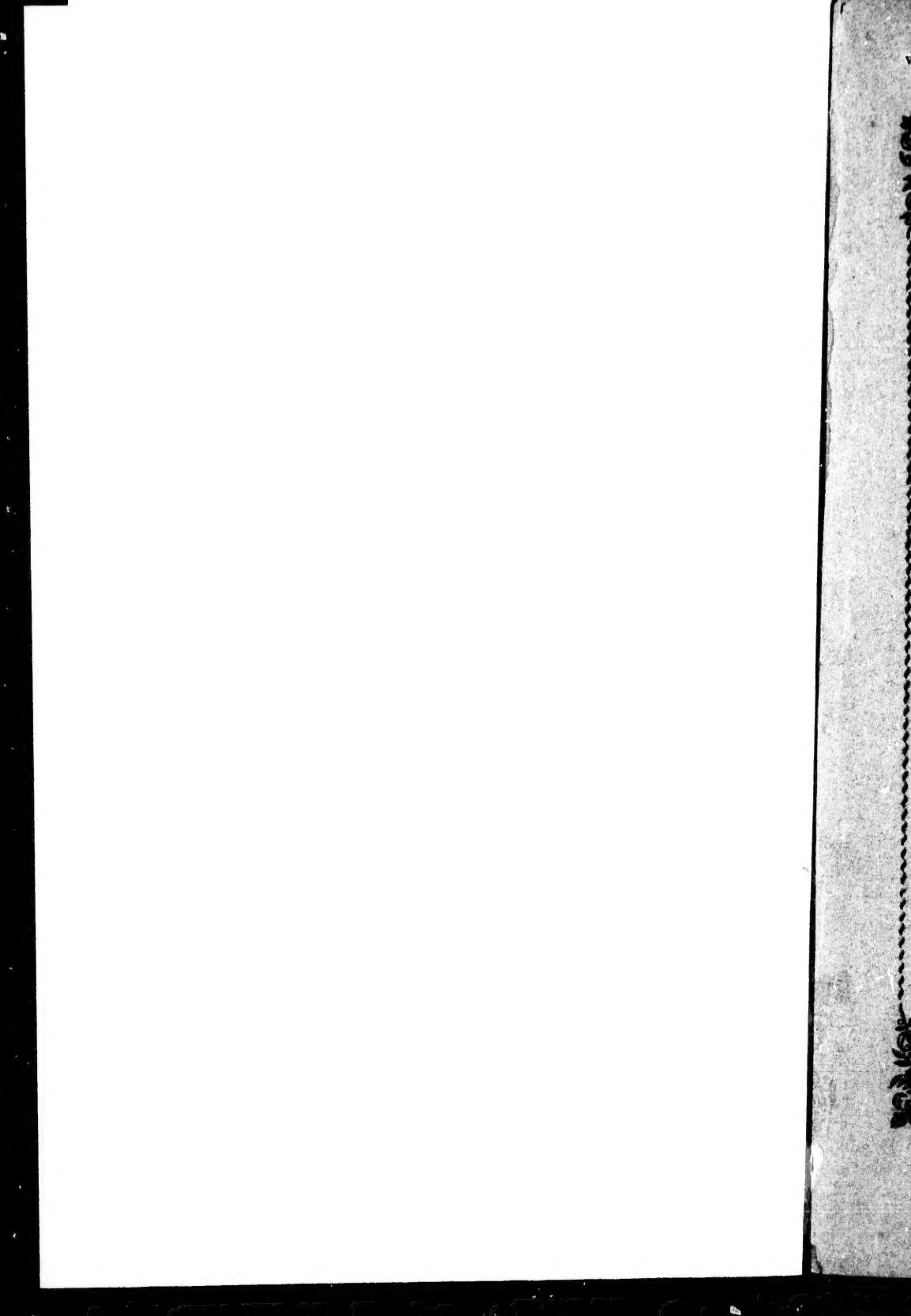




ADDRESS
TO THE INHABITANTS
OF THE
DISTRICT OF GORE,

And Speeches upon the Trade Act, upon the Bill for compensating the losses of sufferers by the late Rebellion, upon the Bank Restriction Bill, and an extract from a speech upon the Union of the Provinces,

BY THE HON. JOHN WILLSON.

HAMILTON, U. C.

Printed at RUTHVEN'S BOOK and JOB OFFICE.

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TO THE INHABITANTS OF THE GORE DISTRICT.

Fellow Subjects :

Seeing that it is a time of addressing and being addressed every where in anticipation of good things to come, permit me to present to you my grateful acknowledgements for the continued support I have received at your hands, and my warm and heartfelt thanks for the unwavering confidence you have reposed in me for so long a period of time. I am led to this course, in presenting myself to your notice, because we have arrived at one of those prominent points that will hereafter form a most important period in the history of individuals and of this country, and will present itself to the notice of the historian as a vast promontory obtrudes itself upon the eye of the mariner far off at sea. As I have reasonable grounds too to expect that my political services may be no longer required, I have, therefore, a desire to bring under your notice a few particulars, which would perhaps be unnecessary, were it not that more than half the population of the District is composed of persons growing into active and responsible life, or of those who have emigrated from other countries, since the period I forbore to be prominent in the political combat : and more particularly, as none of you are informed of the course taken by me last Session in the Legislative Council.

When called upon in 1808 by a deputation from Flamboro' West and Nelson to allow myself to be put in nomination for the west riding of the county of York, my diffidence would have decided against it, but for the advice of two or three of my friends.—The parties in politics known at that time, were the "*Government*" and the "*Opposition*." I was called upon by the latter,—which was chiefly composed of

dissenting religious people, particularly Presbyterians, Methodists, Baptists, Menonists, & Tunkers, who were led to believe, from the Constitution, that they did not labor under, nor were liable to, any "penalties, burthens, disabilities, or disqualifications" on account of their religious form or mode of worship. Among those rights that they deemed essentially to belong to the free exercise of their Religion, were those of solemnizing matrimony, and holding property in their corporate capacities in perpetual succession, sufficient to enable them to exercise their own particular mode or form of worship in the fullest and amplest manner possible:—as for instance, the erection and undisturbed occupancy of houses for religious worship, and of burial grounds—rights by them deemed to be essentially Religious. But the government however held a different opinion, and by passing a law in 1798, granting some of these rights to the church of Scotland, the Lutherans and Calvinists, (the latter term was never interpreted as conveying any rights to any body of Christians) cast an imputation upon all those who were left without the pale, and exposed them to penalties, burthens, disabilities and disqualifications on account of the mode or form of their Religious faith or worship—the Constitution to the contrary notwithstanding. But as no penalties had actually been imposed, nor prosecutions instituted, there was no rankling animosity or bitterness of feeling; and well would it have been if, instead of the prosecutions that were afterwards instituted, Legislative Enactments had been passed, healing the wounds that had been already inflicted before their pain became felt. I regret however to be obliged to say, that these light afflictions were not long borne with that spirit, which the high professions of those who suffered them, so much indicated. Some indeed have striven, reckless of all consequences, to stir up a hostile feeling against the Church, until it may be truly said of the adhe-

rents to that venerable system of Christian rule and faith,---for the maintenance of which so many great and good men of the 16th century underwent the most severe trials—that they have been in fact for the last few years, the persecuted. But to return to my election.—So great was the opposition to my return, that no Justice of the Peace, nor Militia Officer, with the exception of one or two, had the firmness to give me a vote; and even the Lieutenant Governor himself quarrelled with the then Attorney General, because he allowed himself to be employed to advocate my cause before the House of Assembly. But in all this, I felt it not right to bring a “railing accusation,” and restrained my language in discussion, as well as my acts in voting, within such bounds of moderation as I thought would be most desirable to characterise those whose interests I was particularly looked upon as being sent there to represent—a course that I am persuaded was of vast importance in enabling me to restrain my irritable temper & impetuous disposition—which never failed to demand “an eye for an eye, and a tooth for a tooth,” and full vengeance for every contempt and insult; and while heated and violent discussion was going on, and important votes pending, I have hundreds of times turned over the enquiry in my own mind, what would Paul or Peter or their Master have done if called upon to share in this conflict? how would they vote on this question? and what advice have they given that may serve as safe counsel for my guidance? These things may be smiled at by those who lean to their own understandings, but I can assure you, my good friends, they were means to me of seeing through the mist of error and the force of prejudice, and of enabling me to get the better of injured feelings; and I now give it as my decided opinion, that if this same old-fashioned custom had been pursued by Legislators, Editors and Religious Instructors of the people, there would have been no rebellion; and the rights of all would have been secured upon a

foundation not less enduring than they are at present. But it has happened otherwise.

In the latter part of 1815 my mind was deeply impressed with the necessity of some provision being made for the education of the children of the poor and thinly scattered population of this Province. I mentioned the circumstance to Isaac Swayze and some other Members who I numbered among my friends, to whom I stated that I intended bringing the matter before the house at its next session; and I felt it thrill through every nerve when the Lieutenant Governor, Francis Gore, Esquire, adverted to the subject of Common School education in his opening speech of that session. When the speech was taken up in the House, that part of it relating to Education, was referred to a select committee, of which the late James Durand, Esquire, was the first named member. I was not one of the number. I however, undertook to draw a bill for the regulation of common schools. In this I had no precedent to guide me, and it may sound strange to Canadians to be told, that there is no British Statute to aid in point of form, in drawing such a bill—particularly when they hear so much fault found by many persons against the common School laws—stating what ought to be the practice in this, and what is the practice, in other countries—that with all the Universities, Colleges, Academies, Grammar Schools, Charity Schools, or chartered Societies, there is no general law in England, Ireland, or Scotland for the benefit and regulation of common schools for the education of the great mass of the people; and being unused to drawing bills I found it a most difficult undertaking.

About the middle of the session enquiry was made in the house, if the committee on Education was making any, and what progress. Mr. Durand replied, that they had met several times, but could not agree upon any report, and thought it was not probable that they would agree. After this I gave notice that

I would on a day named, move for leave to bring in a bill for the regulation of Common Schools throughout this Province; and when that day arrived my motion was violently opposed and finally negatived. But those at the same time who opposed it, turned round and made a motion to add me to the committee on education. The next day I handed Mr. Durand my bill, which he presented to the other member or members of the committee—who they were I do not now recollect, as I never met with them. They instantly agreed and the bill was presented to the house, and on moving for the second reading Mr. Durand did me the justice to say, that he claimed no merit to himself whatever, as the bill was presented to the house in the same shape it had been put into his hands by me. This bill passed the House of Assembly, but with what amendments I have now no means of knowing, not having preserved a copy, and the records of the house having been since destroyed. It passed the Council and received the assent of the Lieutenant Governor on the 1st of April, 1816—and thus was ushered in the first Common School Law in Upper Canada, and as far as I am aware, in the Empire at that time.

The heat of political feeling gradually increased and many thought my course not so violent as they could wish. The spirit of Radicalism likewise began to diffuse itself more generally, and I lost my election in the County of Wentworth for the 7th Parliament.

In 1820 the general election took place in due course for the return of Members to serve in the 8th Parliament. In this contest I was successful, and was supported by the Conservative interest, both in and out of office. During the last Session of this Parliament, the Common School laws were about to expire, and, knowing the interests I had taken in them, several members, I think Mr. Justice Jones was one, advised me to bring forward some measure to continue or make them permanent. I accord-

ingly drew up a bill, the 4th Geo. 4, chap. 8, making the former laws permanent and extending their provisions—which met the concurrent support of both branches of the Legislature, without either alteration or amendment. Thus were the Common School laws introduced by me in the 6th, and made permanent by my bill in the 8th Parliament.* But with the reduction however of the annual grant, and the repeal of that part authorising the purchase of School Books by the several boards of education, made during the 7th Parliament, of which I was not a Member—and have stood unaltered from that time to the present. They contain many wholesome rules, regulations and provisions, and as liberal a grant of money as the finances of the Province would by any means warrant.

Many there are, who, having obtained a good education in some of the higher Seminaries of this Province, or of some other country, in looking about for some thing to find fault with, have fastened upon the system of Common School Education, and who, in my opinion, have never carefully read these laws; nor do such men reflect, that, scant as are the means afforded to the School Master, these laws have been the cause of many school houses being built, and hundreds of children being instructed to read and write throughout the scattered settlements of this Province. And although there have been great committees appointed—sometimes radical and sometimes tory—and masses of information collected, and voluminous reports made, yet the system still remains untouched. Perhaps the most that is wanting, is the creation of distinct funds for the purpose, and the infusing a little more power and energy into the law, and the appointment of boards that will attend more strictly to their duty. But it may be compared to making the egg stand upon the end.—While some bring their philosophy and learning to theorise a mighty plan, others bring their divinity to bear upon the question, & keep

* See revised Statutes, page 354.

their creed in view, and others again do nothing but watch all the rest. Some want no creed; others want a government plan and a college to form the great Bull-Ring, and the inferior schools like so many links to be fastened into it. Others too want a scheme of democracy, that every man may do as he pleases. In the end some humble, unpretending man may rise up and apply a little common sense to the subject; and then the enchantment is broken, and every one wonders that he was looking so high, or so far, when wisdom was at the door and ready to enter. For my part, although I possessed a moderate share of influence in the Legislature at all times, but at some times more than others, and have taken an active part in all matters of Legislation; & though I have effected a good deal in many things, and have been enabled to contend with men of power, of eloquence & learning—yet I consider all as trifling in comparison to being made the instrument of introducing and carrying the Common School Bills of 1816 and—24, and for which I desire to be ever thankful.

I was again returned to serve in the 9th Parliament, and was elected Speaker by the opposition side of the House. I felt on entering upon that situation as I expect those do who are appointed to preside in Courts of Justice—that is, that I should be no party man in the chair; and in that part of my duty my conscience has never rebuked me to this hour, nor was a decision of mine ever reversed.—But this did not suit many of those who carried their opposition (now called radicalism) to much greater lengths than the rules I had laid down, and by which I governed my political conduct, would allow me to go; and during this Parliament I stood between the parties, which had become exceedingly violent, without subjecting myself to either.

I was again returned to serve in the 10th and 11th Parliaments, during which I was convinced,

that the overturning of the government, and not its reform, was the object of the factious leaders of the Radical Party—although at that time it was not prudent to declare such opinions, as they were stoutly denied on the one side, and the Conservatives on the other, were not willing to believe that their opponents entertained such desperate purposes, although the tempest seemed to lower and the storm was ready to burst. But what astonished me most, was, that our disease appeared to be least known in that quarter from whence our remedy in extreme cases, could come; and I thought I saw a tampering with our affairs, and a degree of ignorance exhibited concerning us, that cast a shade of uncertainty upon what might be the final issue. I therefore resolved to withdraw myself from the political struggle after the close of the 11th Parliament. The threatening aspect however still increased, and when an expression of my opinion was called for at the hustings in 1836, there are hundreds, perhaps thousands, can bear witness that I stated it as my deliberate opinion—"that the whole course of measures pursued by the House of Assembly had long been tending towards, and would as surely result in rebellion, as the fruit upon the tree was visibly repening, or as the grain was ripening in the field for the approaching harvest; and that unless there was some great and manifest Providential change in our affairs, to avert the impending storm, in less than two years from that time, we would find the hand of every one against his neighbour, and every man against his fellow." In a year and a half from that time the storm burst upon us, and at what time our political horizon may clear away, does not, at least to my mind, yet fully appear.

That you may know too what my political opinions were, and how I wished to have them understood in high places, as our affairs progressed onward, and the administration of the government fell

into hands to whom neither myself nor the course I had pursued were known, I submit the following extract from a communication that I felt it but just and right to make to Sir Francis Head the then Lieutenant Governor in 1836, informing him not only who I was, but what were my sentiments at the time—that it might never be said to me, or of me, that I was wishing to appear under masked colours. The letter, after mentioning my residence, and that I was no other than a Canadian Farmer, ran thus:—"I was elected for the West riding of the then County of York (now Halton) to serve in the 5th and 6th Parliaments. The Parties then known, were the Government & the Opposition. I was returned upon the suffrage of the latter, but without any bitterness of feeling; and have continued, and should now be an advocate of the same Whig principles, were I surrounded by the same circumstances—save such modifications however as time and more correct and intimate knowledge of men and things usually make upon the impetuosity and positiveness of early life. I have however, since the rise and growth of Radicalism, been charged with being a thorough-going tory.

For the 7th Parliament I was defeated in Wentworth by a Radical, but was elected to fill a vacancy that occurred in the County of Halton near the close of that Parliament. I have since been elected for the County of Wentworth to serve in the 8th, 9th, 10th and 11th Parliaments by the Conservative suffrage of the Electors of every Country and Religion residing in the County." The same sentiments have been, both before and since, expressed to every administrator of the Government with whom duty or inclination ever led me to communicate. I never shaped my course for the purpose of pleasing the government, much less for the purpose of displeasing or opposing it; and as it not unfrequently happened that Governors did not carry away the same opinions concerning us with which they were at first prepossessed

—I felt it my duty always to maintain those principles and interests upon which rested, in my opinion, the solid and lasting good of the Province.—But no man should set himself up in opposition to the Government upon light and trifling grounds, as it is the power ordained of God. My practice therefore has ever been, when acting in the capacity of a Legislator, (that being also one of the powers ordained) to give that advice to the Government in speaking and voting that my conscience assured me was right; and that I might the better enlighten the Government, and my fellow subjects, I have made many speeches in the Legislature in the same free, conscientious and independent spirit—that both the Government and the people, seeing what may be said for or against a measure, may the more readily determine whether to adhere to, or to relinquish their purposes.

I was led to believe such a course the more necessary, as the Legislative Council for the most part, until recently, was composed of men who in truth were but the *echo* of the government; and many of them were evidently selected on account of their being hacknied in its opinions. It was no less evident either, that many of them were likewise chosen on account of their Religion and locality—the great majority of them being resident in the town of York (now Toronto) and its environs, and who, beside the usual routine business of their several offices and places, really seemed to know nothing of the people, their wants, wishes, habits, or customs—nor of the Province or its capabilities, although themselves or their immediate progenitors, were tradesmen, clerks, shop-keepers, & professional men, getting their living by their occupations or professions, and who had no special claims to consequence above myself and others who were members of the House of Assembly. They however managed to get hold of large tracts of land in and about the City, to the great detriment of the

prosperity of both town & country, until in process of time, by the industry of the one and the enterprise of the other, these lands grew into very considerable fortunes—when their owners must needs put on airs like the great men of the earth, and would sneer at the approach towards, or introduction among them, of any person from the Agricultural walks of life. In fact, before the three last additions made to that House, there was scarcely one that could with any force or clearness address his own body; and if any little discussion was going on among them, it was immediately laid aside upon the first tip-toe step of intruders (for such they were really looked upon at that time) from the House of Assembly. It is easy therefore to see the reason of the contempt poured upon that body by the clamorous demagogues of the day.—The introduction however among them of that great ornament of his profession and of society in general, the Chief Justice, produced an almost entire change in the Council. His amiable manners made every one feel at once at home in his presence; he immediately introduced a more free and ample mode of discussion; and would have attracted public attention to that body, but that prejudice against it had become too strong to be immediately diverted from its deep-worn channel. He also introduced many of the most important changes in our laws, civil and criminal, fitting them more to our advanced and advancing state of society.—But as it was myself I intended addressing you about, before bidding you farewell a second time, I must pursue this matter no further.

In 1834, believing that the voice of reason and moderation could not be heard amid the threatening collision of contending parties—who seemed like the approaches of dark clouds charged with all the elements of whirlwind and tempest—in which the better way is generally, to let them spend their fury by their own self-buffeting—I took my leave

of you in an address at the dissolution of the 11th Parliament, and believed it then to be final and forever as regarded Legislation. But we can tell but little of all that lies before us—clouds and darkness ever rest upon the future.

Whenever additions to the Legislative Council were made the subject of discussion or conversation, whether by editors or others, my name was frequently associated with them. Perhaps all parties felt that I might be justified in making pretensions to a seat in that House. For my own part I wished my name quietly dropped from all such associations, as I was far from believing there was any additional honour in it—after my long services in another place, together with a moderate degree of influence accompanying it. It was always my opinion likewise, that *honor, mere empty honor*, ought to be the last and lowest of all the motives that should influence the government in placing men in the high charge of the public weal. Ribbons, stars, titles, or garters, are all very suitable rewards and honors for great past services, but Legislation looks forward to services to be performed involving great interests to come. Besides, there lives not that man who ever heard from me the insinuation, immediate or remote, of a desire to be placed in that body; and although I thus speak, I wish it not to be understood that I am ungrateful or unthankful to whosoever may have been the mediate or immediate cause of my appointment. On the contrary, I prize it the more, because it came, as every commission or appointment I hold, or the one I have been removed from, did come—that is, without any application of mine, or by any person for me, or with my knowledge or desire,—and this I call providential.

Thus, contrary to any expectation or desire on my part, I received a communication from the government office, dated Toronto, 17th February, 1839, stating that His Excellency the Lieutenant Governor Sir George Arthur was authorised by an instru-

ment under the seal of the Province to summon me to the Legislative Council thereof. I did not think at the time that I would again enter into that field of strife, and in my answer I intended to indicate as much. I did not therefore attend during the then ensuing session. I however on the 22nd of June 1839, received another communication respecting the fees which I paid, but still left the acceptance of the appointment doubtful. But at the approach of the late session there were two reasons that operated strongly upon my mind to induce me to take my seat in the Council. The first was—that seeing our Constitution & Government were about to pass away from us, I thought it dastardly in me not to record my testimony against it; and in the second place—by the design of the 12th Parliament, and by the most inconceivable and culpable oversight of the 13th, the laws relating to, and authorising the raising and collection of, the internal revenue, had become totally inefficient for the purposes intended; and although I had stated the case at full length to the Government at the previous session, and the same had been laid before a committee of the House of Assembly, yet that body was so engaged about other things, that these necessary laws remained unaltered. I was led to believe if I was present and exerted myself, I would be able to procure the revision of them, and with these views I applied for the Mandamus and obtained the letters patent on the 11th day of December 1839.

I opposed the Union of the Provinces as I felt in duty bound to do. On the 26th of December I returned home, and from the ill health of my family I did not return to Toronto for a month, when I found a bill before a select committee, that had been sent up from the House of Assembly, regulating the licensing of wooden stills of a description that would have destroyed all the distilleries in the Province if it had passed into a law. Some may say that

that would have done but little harm. 'True, if the consumption of spirituous liquors would thereby have been lessened; but that would not have been the case, as the whole amount would have been supplied by foreign spirits and smuggled whiskey from the United States; and thus two demoralising systems would have been carried on in place of one—the revenue sustain a great loss, and a vast amount of otherwise useless grain deprived of a market. I was immediately placed on that committee, and upon explaining my views of the bill, I obtained leave of the committee to try what I could do by stating the case to the Attorney and Solicitor General, Mr. Sherwood, Hotham Gamble, and several other members of the Assembly, which I did; and a new and modified bill was brought before that House, which lowered the duty from 2s. 6d. to 1s. 6d. per gallon, and confined it to the tub or tubs used for the distillation of the beer, and expunged the oath required to be taken, and the perjury clause in case of an error; and then watched the progress of the bill before the Assembly with close attention for a whole week, to be prepared to report unfavourably to the Council of the first bill before the second one was sent up, otherwise it would have been a breach of privilege to have sent up the second bill before the first was disposed of. The most of my suggestions were attended to in renewing and revising the other licensing laws for taverns, ale houses, billiard tables, &c.; but with the repetitions and contradictions of several of the clauses in these acts I have nothing to do.

It is a little singular, that although the sittings of the Council were no longer demi-private, as in my remembrance, and a reporter was for the last two or three sessions freely admitted—that to my knowledge, there were none of the debates for the last two weeks of the Session ever published. But that you may be informed of the course pursued by me during that time, I have subjoined the

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introductory part of my speech in opposition to the union—as it was not published at the time, and because it contains a comparison that may perhaps be thought of hereafter. I have also subjoined my speech upon the bills for increasing the Charters of the Upper Canada, the Commercial, and the Gore Banks, with clauses reported to the Council by the select committee to whom they had been referred—restricting their future issue of bills to not less than five dollars ;—and also the speech made by me upon the Act regulating the trade with the United States ; and I then believed, and do still believe myself to have been principally instrumental in defeating the restriction clauses of the Bank Bills, and of carrying the trade act successfully through the Council. Whether they receive the Royal assent or not, much good will grow out of such a decided expression of the Provincial Legislature ; and though some have endeavoured to persuade me, that we suffer no injury by the free admission of United States agricultural produce, or by the imposition of heavy duties upon our productions in their ports, but I would as soon believe that water could be made to run up hill contrary to nature's laws.

I have also given a speech made by me upon the bill granting a sum of money to provide for the payment of all just claims arising from the late rebellion and invasion of this Province. The speeches themselves are made out from pencil notes taken at the time, but from which however I have always been able to recollect what I have said, at any length of time afterwards.

My object in laying these speeches before you, is, that you may judge for yourselves of my exertions for your interests during the four weeks I was in the Legislative Council ; and more particularly, as I have reason to believe, that it is the first and last time I may have an opportunity of sustaining your interests in that body. For as it is natural and customary to appoint men to places, who accord in

sentiment with those in whose hands rests the appointing power, and knowing that my opinions of your interests differed in many important points from those entertained by His Excellency the Governor General—I have therefore no reason to expect, nor do I expect, a re-appointment to the Legislative Council—nor would I surrender one jot of a well-considered opinion upon any important matter for such an appointment.—But when any measure becomes the law of the land, it behoves all men quietly to submit to it, and to render all proper aid in carrying it into effect—that the utmost good intended may not be hindered.

To the improvements of the country I have been at all times a zealous friend. The Burlington Canal I view as the life and soul of all prosperity to the Gore, the Wellington, and the Brock Districts,—the port at Oakville, as a new and safe harbor, opening out the resources of all the adjoining Townships,—the Desjardin's Canal, as giving the whole western and northern stretch of country the full advantage of the utmost point of water communication,—and the Welland Canal, because it is the lowest level, and the shortest distance in connecting the great western section, with the middle and the eastern sections of the Province, thereby securing the advantage of British trade and markets to all parts of it, and without which the trade of the whole western country would have been driven to the United States—believing at the same time “that where the treasure is there will the heart be also.”—Ner need we look far into the gloom of future years to find the petty and contemptible prejudices, both individual and local, against that great national undertaking, swept down the tide of time, as now its waters sweep the bubble on their surface.—Ere long will the locks of that canal be scarcely able to fill and empty fast enough to keep in motion the heavy-laden craft that will seek for entrance and for exit—freighted too with all the vast magazines of agricultural wealth,

to bless the breadless millions of other climes.—But for a little time it must yield salaries to compact men, and be governed by those who have sought its destruction.*

I have always been a friend to the improvement of the roads in any way that they could most advantageously be improved—as they are a principal means of encouraging social intercourse, of increasing commerce, of cheapening transport, and of adding greatly to the sum total of comfort and happiness.

As I started out a plain farmer, with no other advantages than those offered as the rewards of industry and perseverance—I have therefore labored—first, for a living, and secondly, to be useful; but not being ambitious, I never sought to be great, and have therefore never got above myself or my neighbours. If I learned any scraps of knowledge that might be useful to others, I have considered it as common stock, and freely communicated it to every enquirer—of which you are yourselves my witnesses.—I have ever been a friend to emigration, as it brings the poor into a broad place, and adds to our numbers and to our intelligence. It enables us more early to reap the advantages of the country, and adds, as I have already said, to the sum total of our happiness.

Finally, I desire to repeat the full assurance of the high regard I have for you all, and for your individual and joint interests in all the many advantages of our common country; and with this feeling more deeply engraven than the impression of the pen of steel with which I write, I bid you a hearty, sincere, affectionate, and cordial farewell.

JOHN WILLSON.

Saltfleet, 13th October, 1840.

* See Report of Commissioners—12th February, 1838.

Introduction to a Speech upon the Union of the Provinces.

Mr. Willson said, that the history of a kingdom or a Province was but the extended history of an individual, and either might be compared to rivers or streams of water—of which he was aware of but one whose smooth & placid surface continued in even & unbroken flow for any very great extent of space. Thus it is with individuals and with nations—they glide along the extent of time, some a shorter, some a longer period, but always with pleasing prospect, as they fondly fancy, far ahead—as rivers glide over space. But presently the inclination increases, and with it the rapidity of the stream. Its smooth and even surface, first broken by a succession of ripples, rolling forward or breaking on the shore—still onward driven with increased velocity & force—a little further ahead—and all's ingulphed in the rolling surge and dashing spray. Thus it is with men, and thus it is with nations too; and so it is just about to happen to us. We have had our smooth and even times; but our pleasant and our prosperous days I fear have passed over, and we have entered upon more ruffled and unequal times, and still more portentous lie ahead. A little further on, and mad commotion will burst upon us every where!

On Friday and Saturday, the 17th and 18th of February, the discussion took place in the Legislative Council upon the bill sent up from the House of Assembly, regulating the trade between the United States and the Province of Upper Canada.

Mr. Willson said—I regret exceedingly that the hon. gentleman (Mr. Ferguson) should so soon have become discouraged & given up this important point. He says—from the fate of the resolutions he had the honour of bringing forward the other day, he is convinced that we have not the power to legislate upon any matter connected with, or regulating our trade and commerce, and regrets that it should be so—but hopes that the country will be satisfied with the course he has taken, as they will see that we are

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hibited from meddling with it. Now, said Mr. Willson, how far the country will be satisfied with the course that hon. Gentleman has taken, I am not able to say, but I think they would be full as well satisfied if he had not been quite so easily convinced. I frankly confess, said Mr. W., that the arguments of the hon. and learned premier (Mr. Sullivan) have not had the effect on my mind that they have had upon that hon. gentleman; and I hope, said Mr. W., before I set down, to be able to convince him back again, and get his aid and assistance in passing this most important bill through this house—the arguments that convinced him to the contrary notwithstanding. I can show that hon. gentleman, as he will presently see, that there are many arguments may be adduced in support of the course taken by the House of Assembly in passing this Bill, that were not brought forward in support of his resolutions. Why they were not, is not now necessary for me to explain.

But, said Mr. W., it is indispensable to the good government of this Province, that the trade between it and the United States, be regulated by Provincial enactment. It is impossible, from our locality, and from all the circumstances by which we are surrounded and connected, that the Imperial Parliament could be able to acquaint itself with our particular wants and interests, as our own Parliament can do. It was not fair to endeavour to foreclose the debate, and to throw out the bill, by telling this house, that it was a question with which we had nothing to do; and that it was a point reserved by the Constitution for the Imperial Parliament. It is no more so now than at any former period, and yet in all past time, and until within a few years, the Legislature passed laws regulating the trade between this Province and the United States, and imposing duties thereon. These acts have likewise been assented to by our Governors and by the Home Government; and our legislation was as regular at sta-

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ted times and periods, as it was for legislating about roads and bridges, or any other of our immediate and internal regulations: and some of them are still in force and acted upon—the act regulating the duty upon salt is one of them. By this we may see, that it is not in good keeping, to tell us, that we have no right to meddle with it—while we are continually collecting duties under our own enactments.

Then, said Mr. W., to frighten us from our consistency, it is further stated, that Great Britain has regulated her trade, including that of her Colonies, by treaty with all the world; and our legislating would be interfering with treaty regulations. This, said Mr. W., is in truth a matter with which we have nothing to do. But if Great Britain has entered into treaties, the effect of which is injurious to our interests, it becomes us to be incessant in our applications—by addresses, or by legislative enactments—to inform the Home Government of our wants, our wishes and our interests—in order, that, being properly apprised of the injury we sustain, by ill-timed laws, or by ill-digested treaties, the Home Government may be induced in its treaty regulations, to negotiate for better terms in our behalf; or otherwise to allow us to manage a little more our own immediate interests, as well of trade as of our internal and domestic affairs—otherwise the benefit of our connection will become a question of doubt with more than the seditious and the evil-minded.

When emigrants, said Mr. W., were flowing in upon us in numbers so great, that the country was not able to supply them without raising the price of provisions and of live stock so high as to discourage that emigration, and prevent tradesmen and others from settling in, and building up, our towns and cities, I was myself a most zealous advocate for allowing the Agricultural productions of the United States admitted free of duty. At that time nearly all the articles of furniture, implements of husbandry, as well as all things tending to comfort,

refinement and luxury, had of necessity to be brought from that country. But now, said Mr. W., the case is widely altered. Our towns and villages have progressed, and are built up, so as to supply the wants of the surrounding country; and if the tradesman, merchant or manufacturer, all of whom are protected by heavy duties on articles in which their interest lies, must eat American provision, because it is cheap, it will soon become the interest of our agriculturists, to let them depend upon the Americans for the sale of their wares and merchandizes. Then they will soon find, when the farmers pockets are empty, their goods and wares will remain on their hands.

When generous prices are paid for the means of living, it is always found that merchandize, and the productions of art and manufacture, find the readiest sale. It has happened in a few instances, said Mr. W., that it would have been to our interest to have been allowed to make use of the American market, but we were met with a duty of twenty-five per cent. It would be a very great draw-back to a farmer selling, say 600 bushels of wheat, to find himself taxed \$150—whereas our markets are free to them—and they know how to avail themselves of them too; and although large quantities of wheat and flour were imported from England to the United States a few years since, they nevertheless thought it advisable to encourage the Agricultural interests, and persisted in levying the duty, although at the expense of their merchants, manufacturers, tradesmen, and worst of all, their labourers; and they probably taxed this Province to the amount of more than half its revenue. It is not fitting then, said Mr. W., that we be very soft and delicate about the matter, under such disproportionate circumstances and such unequal terms of intercourse.

Then said Mr. W., the evil is real, while the good, if good there be, is only to a few speculators; but upon the whole, is in truth more in imagination

than in reality. While this state of things serves but to irritate the farming interests of the country, and tends to make them believe, that their interests are but secondary ones, and therefore not entitled to much consideration; and when people believe themselves and their interests neglected, every thing appears to their view under the greatest imaginable distortion. They become discontented with the country, the government, and every thing else; and finally come to the conclusion, that the country affording the greatest encouragement to the productions of their avocations, must of necessity be the best for them. And who will assert, that there is not force in the argument extremely difficult to meet or rebut. Another proof of the truth of it, if further proof it requires, is, that the greatest number of monied farming, manufacturing and mechanical emigrants, go to the United States. For there are not wanting men in all the maritime cities of America, to tell the farmer that his wheat and flour and other productions are worth twenty-five per cent more in the United States than in Canada; and that whenever the Canada market is the best, he may share in all its benefits upon equal terms with the Canadians themselves. And what British or Irish farmer will settle with as upon the unequal terms of dear land and cheap produce, when he can get cheap land and a high price for its productions elsewhere. The thing is absurd in itself; and while this manifest difference continues, unfavorable comparisons will be drawn between this country and the United States.

Again, said Mr. W., in order to lull us into a good-natured compliance, we are told, that by opening our markets free of duty to the Americans, we will insure ourselves the West India trade. This is a question worth a little attention.—We are, said Mr. W., a vast distance from the West Indies, and our commerce is ice-bound nearly half the year—while New York, New Orleans, and all the maritime

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cities between, are in the immediate neighbourhood of that trade, and their ports accessible to all parts of the world throughout the whole year without interruption. How then is it reasonable to suppose that we can compete with the States for that trade. It is, said Mr. W., wholly out of the question—unless we had a depot in New York, and then and only then, could we expect to have any chance of getting a part of that trade. But as we are circumstanced there is no possibility of it. For, first of all, the distance interposes—then the ice again.—These Islands too are situated in a hot climate, where they never can keep large supplies on hand. Whenever a scarcity occurs, it is known in the United States in a little time; and while the price is at the highest, the Americans will have the full benefit of the trade. When their wants are supplied our Canada produce comes in, & necessarily commands the lowest price:—But we are told the protecting duty secures us. That, said Mr. W., has been tried many years, and has wholly failed to produce any such effect. The protecting duty is rather to be deprecated by the consumers of flour in the West Indies than otherwise—as flour and some other articles of consumption are reckoned among the luxuries of their living—are seldom used by the poor and laboring classes, but by the rich only; and therefore the British Government, as well as the government of the Islands themselves, have considered these articles of living among the most fit & proper from which to raise a revenue. Therefore, if it were possible for us to command that trade, the effect would be to destroy some of the most important sources of the revenue of the West India Islands—so that in truth, they would not thank us for our kindness in giving them cheap flour. Besides, how strange would it look to see the trade of one colony operate to the destruction of the revenue of another, and all by the same enactment from the Imperial Parliament. But I fear there is some strange and extraordinary influence exerted in this matter.

To procure a cheap supply for the troops is another argument. How falacious indeed, said Mr. W., must the whole appear, if that were to be considered? Why doesn't the Imperial Parliament after the corn laws, and let the poorer classes also partake the benefit? If the corn laws are sustained for the benefit of the agricultural interests of Great Britain—notwithstanding the army, the navy, the operatives, the laborers, and all the dependent classes—why grind us under this oppressive and unequal trade. I hope, said Mr. W., that there is firmness enough in this House, to let Her Majesty's Government know our circumstances, our wishes, and our wants, by acting in concert with the House of Assembly in passing the Bill.

And now, said Mr. W., having gone through the subject in support of the bill, according to my intention, I will explain, at the request of the hon. and learned Premier, what I meant by some "strange and extraordinary influence"—an expression I admit I have used several times in this House.

I am sure it will be fresh in the recollection of every hon. member present at the time, that in reply to me the first or second time I rose upon this floor, that hon. and learned gentlemen said—"that my harangues or speeches would have more weight and effect in a more diffuse and popular Assembly, (meaning I suppose the House of Assembly where I was long a practitioner) but in a select body, constituted as this house is, I could not expect to produce the same effect." Now I can assure this hon. house & that hon. gentleman, that the expression made a deep impression upon my feelings, and I often recurred to it—thinking that there certainly must be some hidden, strange, and extraordinary influence indeed at work—or how else is it possible there could be under heaven *a body so select and so constituted, that reason & common sense could have no weight with it.* I am, however, happy to say, said Mr. W., that I have witnessed the contrary many times & hope to witness it again on this occasion.

(The Bill accordingly passed the Council, and was reserved by His Excellency the Governor General for the signification of Her Majesty's pleasure.)

Debate in the Legislative Council upon the Bank Restriction Bill on Friday the 1st, and Monday the 4th, February 1840.

Mr. Willson said, that it might be deemed presumption in him attempting the discussion of this deep, intricate and difficult question—as he had never been connected with what is called the *business* or commercial part of the community, who are supposed to know more of the operations of money matters than any other class of men. He had however for a large portion of his life been situated where all the varied interests of the Province frequently passed in review, and to which he professed not to have been inattentive. Then, said Mr. W., our first enquiry is, whether the country is at this moment overstocked with a circulating medium. In answer, no argument need be used, as the merchant, the farmer, the tradesman and the labourer, all join with one voice in stating, that there is not—through the failure of the crops, and the severe check upon the whole commerce of the country—sufficient circulating medium to carry on its limited trade. Then what effect will the restriction of the banks against the issue of bills under five dollars, have upon the agriculture and commerce of the Province. The three chartered banks have now in circulation £319,416 10s. of the denomination of 5 dollars and upwards, and £107,108 5s. of a denomination less than \$5. Now should this £107,108 be withdrawn from circulation, its place must be supplied from some other source. Should the banks lessen their discounts the country would be in a far worse condition than at present. Should they continue their discounts as at present, the whole amount in circulation would be £426,524 15s. Now, said Mr. W., nothing can be more certain, than that the amount of these bills equal to the present issue, would immediately and constantly return upon them for gold and silver to supply the deficiency occasioned by prohi-

birring the circulation of \$1, \$2 and \$4 bills. This would lessen their stock of specie, and keep the banks in perpetual trouble and anxiety to have a supply equal even to the most ordinary occasions.

They have at present £224,393 3s. 2d. on hand in gold and silver. Deduct from that a sum equal to the small bills driven from circulation, and which the banks must supply, and then the case will stand thus—bills in circulation £426,524 15s., and specie on hand £117,284 18s. 2d. By this view of the subject, nothing can be more clear, than that the banks would be obliged to curtail their discounts, and the country must feel and suffer all the ruinous consequences.

We will now inquire from what source we derive our supply of gold and silver, and through what channel it passes off. It is evident then that our supply is procured from and by the home government—in the supply and pay of troops, and in pensions and half pay to officers and others drawing money of and through the government. This is and must be the chief source of our supply. As for our trade, it is well known that we import more than we export, and I believe, said Mr. W., it will be found, that manufacturing countries alone, and not producing countries, are able at all times to command and retain large supplies of gold and silver.

The question next arises—what becomes of the circulating specie? To this the answer need not be far-fetched. Our trade is principally from and through Lower-Canada, but it is partly, and to a considerable amount, from the United States—and no inconsiderable part of that trade is of an unseen and invisible description, carried on by smuggling. For our trade with Lower Canada, we can pay in wheat, flour, Pork, Lumber, &c.; but our trade with the United States can only be paid in specie.

For should it happen, as several times it has happened, that produce brings a higher price in the United States than is paid in Lower Canada, we are

met with a duty of twenty-five per cent before we can avail ourselves of their market, so that in truth we can never count on an exchange of articles or a barter trade with them. Their articles of trade too are many of them of a description convenient to be hawked about from house to house, by which means all the metal currency is gathered up and taken out of the country. There are very few, if any, of our merchants, who are not engaged more or less in trade with the United States, and the more gold and silver is thrown into circulation the more will it be sought after and taken out of the country. Under these circumstances the banks must of necessity curtail their issues, their discounts must in a great measure cease, and the business of banking be chiefly confined to exchanges and drafts on Lower Canada, New-York and London. The consequence would be, a fall in the price of the productions of the country, which would be bought up by a favoured few, who could command the means, at any price they chose to offer; and would end in the total ruin of the agricultural interests of the Province.

Another argument in favour of the restriction sought for, is, that no bills for less than £5 are allowed to circulate in England. That comparison will not hold good. Besides, it is the opinion of many wise and good men, that England owes a vast amount of her embarrassments and her troubles, and the poverty of her poor, to that exceedingly impolitic step.

Great Britain and Ireland, and the West Indies have their trade under more absolute controul, from their insular situation, than it is possible for us to have ours. Besides all this, their manufactures, and their exports either exceed or more fully meet the amount of their imports, than is the case with this Province. The honble. gentleman opposite, Mr. J. S. McAuley, says, there is no paper money in Spain or Portugal, and very little in France. True they have none, and have pro-

hibited the exportation of gold and silver under the most severe penalties. But after all, the gold and silver finds its way out of those countries, and the lower classes of the community are, of all the world, the most wretched, degraded and debased—without commerce or the means of carrying it on, to which much of their misery may be attributed. Then the honorable Premier, Mr. Sullivan, says, that he remembers the time when we had no banks here, and the country got on without any paper currency. Yes, said Mr. W., I remember it also, but at that time and all time before, the trade of the country did not exceed the government disbursements, and whatever the drain might be, the constant and certain supply, was equal.

Then, that every argument might be exhausted, and every influence exerted, we are told that the Board of Trade had recommended to the Colonial office to disallow all bank charter acts that did not contain a restriction of the issue of bills under \$5, and we are referred to a despatch to that effect. But, said Mr. W., before you get to the end of that despatch, it reads like the production of one conscience-smitten, as though it might be inflicting some great and uncalled-for evil; and notwithstanding the high tone with which it sets out, it closes in a tone, like saying, "that we may however consider the matter in a different light, and should the Legislature persist in passing such bills, we may be led to advise Her Majesty to assent to them." After all, just in that light am I led, said Mr. W., to view that despatch; and those who urge the force of that despatch, tell us, that unless we comply with these conditions, there will be no chance of these bills being assented to; and that more capital is wanting with which to carry on the business of the country.

Then, said Mr. W., let them be dissented from, and let us do without an extension of bank charters. The capital we have will be of more benefit to the country than will be the case under the restrictive system, with all the additional stock.

It is a matter deeply to be deplored, said Mr. W., to observe how ignorant the home government still continues concerning us,—our wants, our interests, our feelings, our intercourse, and every thing concerning us; and in every instance in which they have interfered with our local affairs, our interests seem to have been misunderstood, and we have sustained injury.

Who has been wronged, or what injury has ever been done to any body, public or individual, by the circulation of 1, 2 and 4 dollar bills? They are the poor man's money—they suit the farmer, the tradesman, the labourer, and all the variety of people who meet in the market. What possible injury can the gentleman sustain by them? Time was, said Mr. W., when the British Colonies, now the United States, issued paper money and made it a legal tender,—that complaint was made, that the King's revenue suffered loss, because it depreciated—so much so that in New-York it took 8s. in paper to buy a Spanish dollar, in New England it took 6s., in Pensylvania and New Jersey 7s. & 6d.; and in this way came all the different currencies to be found at this day in that country; and only one State out of the 13 maintained its sterling currency. But the present case is widely different. The government has sustained no injury, and it has properly no right to disturb our local and internal regulations; and were it not for the fictitious value given by law to British silver, it is extremely doubtful, if the continual drain from the banks would not so much increase, as to compel them even now to curtail their issues and lessen their discounts.

I am fully convinced, said Mr. W., that when the law shall have expired that gives 4 British shillings the value of a Spanish or American dollar, and the banks restricted to the issue of bills of \$5 and upwards, that these institutions will be measurably useless to the country; and the country

itself ruined in all its agricultural relations. I am aware too that some people are of opinion, that an entire specie currency could be sustained, and that it would sustain the country. I think very differently, and those who maintain such opinions, it is to be feared, never thought much about where the supply was to come from, or of the variety of appliances continually at work to get it away from us. But if it were possible to have a specie currency, how much worse than useless would it be? How cumbersome to every man having money to transmit or convey from place to place? It could not be done with that secrecy, and facility that we can now transmit any given amount. The exposure of a cumbersome amount of gold and silver would be a strong temptation to thefts and robberies. It is worse than useless in other respects. The loss by wear in the whole amount of money necessary to carry on the trade of a country, is very considerable. So is the loss by fire, but more especially by water. Every vessel lost, goes down with more or less on board, and whatever is in gold or silver is lost to all the world; whatever is in paper, leaves its equivalent in the general stock of precious metals for the general good of mankind—while the amount of paper so lost is a particular gain to the institution from whence it issued.

It is my opinion, said Mr. W., that it is even better to pay a somewhat higher price for merchandize, and have our money circulation easy, than by buying cheap articles, be wheedled out of all our circulating currency, and become narrowed in our means, and embarrassed in our domestic intercourse with each other—which would unquestionably be the case if we should be reduced to a specie currency; and the restriction of the issue of small bills would amount to the same thing.

I most sincerely hope, said Mr. W., there will be firmness enough in this House to reject those injurious and exceptionable clauses, and maintain the more solid interests of the country.

Debate on the Bill sent up from the House of Assembly, granting £40,000 to be applied to the payment of losses sustained by individuals during the late Rebellion and Invasions of this Province.

Hon. gentlemen, said Mr. Willson, although I am not far travelled nor much read, I will nevertheless give you my opinion. The hon. Premier called upon hon. gentlemen who had travelled, to inform the House what was the custom in other countries in cases of a like nature; and he had doubts as to whether the State is bound to make good the losses sustained by individuals on account of the Government; and whether in all such cases each man ought not to bear his own loss. Now, said Mr. W., that we have got the opinion of these gentlemen who have travelled, (Col. Adamson and Capt. Baldwin)—the one by land and the other by water, what does it amount to? why simply this, that they cannot tell what is the custom in Spain and Portugal; and truly, said Mr. W., they would be bad precedents drawn from such despotic governments, if they even could tell what their customs were. I will venture, said Mr. W., to give you the precedents of the only governments on earth whose precedents are worthy of attention, and they are neither antiquated nor far-fetched; and are the only countries where the voice of the people is heard and associated with the acts of the Government—and these are Great Britain and the United States of America.

Without going any farther back than the American revolution, said Mr. W., we find the British Government considered herself bound to make good the losses of her unsuccessful adherents in that contest; and to save herself from increased and acknowledged demands upon imperial resources, it formed an item in the treaty of 1783, that no further confiscations should take place. The next step, said Mr. W., was, to ascertain by Commissioners appointed for that purpose, the extent and amount of losses sus-

tained by individuals, and of what description—and having arrived at as just a conclusion as circumstances would warrant, these claims were met, in part, by millions of gold and silver, and the remainder was made up in lands, on the principle of compensation for losses sustained by individuals in behalf of the public. The settlement of Nova Scotia and Upper Canada formed on that ground; and to this Province particularly, flocked the ruined thousands to find a refuge in place of their former homes that had passed away from them forever, on account of their adherence to the unity of the Empire.

Then, said Mr. W., we come down to the late war with the United States, shortly after the termination of which, we learn, that the American Government promptly compensated its citizens for losses sustained along their frontier in the various retaliations by our troops and militia. Next we see the Home Government promptly acknowledging the losses sustained in this Province, though more tardy in paying them; and this Province has also acknowledged the principle, and has borne a greater share of the burthen than properly belonged to her.—But the principle was just.—Those who suffered for the public, or in the public cause, should be sustained by the public. On this same principle also is the pension list founded—that those who defended the public, should, in case of being disabled, be supported by the public; and it is from this cause—in paying war losses and the pension list, that we have become involved in difficulty, and must sell our constitution and abandon our present Government to get out of it. Many there are who thought the home government should pay both the losses and the pensioners, and perhaps they are right; but as I had a hand in it at the time, I thought it was better we should bear a heavy burthen, than that houseless and helpless individuals should suffer in the land they had improved and defended without meeting the sympathy of human

kindness—which would have been even a reproach upon human nature.

There remains, said Mr. W., another view to be taken of this question, which is neither trivial, nor to be disregarded.—Who is the man that would be such a fool as to sustain the public or a government that had not the honor nor the justice to sustain him in return, or to compensate him for the losses he might be obliged to bear? Who that might be surrounded with the disaffected, or exposed to a line of danger, or be liable to sudden surprise, would have firmness to stand the shock—or rather say the hardihood, to risk every thing—for the faithless who would refuse to hold him up in the conflict? I am surprised, said Mr. W., that the question should be mooted, or a doubt raised.—Let it once be understood, that the pillage of property, & the burning of buildings, on the score of faithfulness to the government, is to stand unrequited by that government or the public, and very soon will it be seen that all men will abandon such a government as not worthy of support. Rather pay in full, and pay them promptly, and place them comfortably, as was the situation from whence they were hurled, and they will rejoice in their own honest fidelity; and the precedent on both sides will present itself as worthy of example for all men and for all governments.





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